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A 124-199

PIHULIC, D

NIXON & VANDERHYE
2200 CLARENDON BLVD. 14 FL.
ALINGTON, VA 22201

222

07/15/91

☒ This application has been examined ☒ Responsive to communication filed on 3-13-91 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 6 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input checked="" type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input checked="" type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152 |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-7 _____ are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1-7 _____ are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☒ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 those drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☒ Acknowledgement is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☒ not been received
☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

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EXAMINER'S ACTION

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Art Unit 222

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.
2. Acknowledgment is made of applicant's claim for priority based on an application filed in Britain on July 28, 1989. It is noted, however, that applicant has not filed a certified copy of the British application as required by 35 U.S.C. 119.
3. the British Search Report submitted March 13, 1991, has been placed in the file, but has not been considered since it appears to be drawn to a different number and set of claims than were filed with the U.S. P.T.O.
4. Claims 1-7 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In the first lines of claims 1 and 4, the phrase "of the type" is considered indefinite since "the type" is not defined in the claims.

Claims 3 and 5-7 are rejected for depending from the aforementioned rejected parent claims.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

"A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States."

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Art Unit 222

6. Claim 1 is rejected under 35 U.S.C. § 102 (b) as being anticipated by Anderson.

The Anderson reference discloses a liquid filled towed sonar array comprising a plurality of groups 29-36, with each group containing a plurality of hydrophones 38, the outputs of the hydrophones of each group are combined without additional weighting and without relative phase delays to form a single channel 29a-36a for each group.

7. Claims 2 and 3 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112 and to include all of the limitations of the base claim and any intervening claims.

8. Claims 4-7 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. 112.

9. An inquiry concerning this communication should be directed to Daniel T. Pihulic at telephone number 703-308-0462.

Daniel T. Pihulic
DANIEL T. PIHULIC
EXAMINER
ART UNIT 222

Pihulic/07-01-91

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